

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

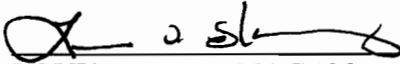
NO. 5:11-CT-3029-FL

CHRISTOPHER PAUL SAVAGE,)	
)	
Plaintiff,)	
)	
v.)	ORDER
)	
UNITED STATES OF AMERICA;)	
BUREAU OF PRISONS; WARDEN)	
D.R. STEPHENS; DR. REBECCA E.)	
PERKINS; REBEKAH C. NELSON;)	
DR. FREIMAN-FOX; DR. PAMELA D.)	
LEWIS; LIEUTENANT GREGORY;)	
BILL LOWERY; CAPTAIN AARON)	
GREENFIELD; DR. JUDE O.)	
ONUOHA; AND P. MCGILVEARY,)	
)	
Defendants.)	

Plaintiff filed this action pursuant to Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971). The matter is before the court on plaintiff's notice of voluntary dismissal (DE # 31). An action may be dismissed voluntarily by plaintiff without order of the court by filing a notice of dismissal at any time before service by the adverse party of an answer or a motion for summary judgment. See Fed. R.Civ. P. 41(a)(1). Otherwise an action shall not be dismissed on the plaintiff's request except upon an order of the court. See Fed. R.Civ. P. 41(a)(2). At this point, defendants have not filed an answer or motion for summary judgment.

Accordingly, plaintiff's motion (DE # 31) is GRANTED, and the action is DISMISSED without prejudice. All remaining pending motions are DENIED as moot.

SO ORDERED, this 3rd day of January, 2012.



LOUISE W. FLANAGAN
United States District Judge